

REMARKS

In the Non-Final Office Action, claims 21-54 stand rejected and claims 21-22 and 46-47 are objected to. In particular, Claims 21, 29, 37 and 46 are rejected under 35 U.S.C. 112, claims 21-26, 28-30, 32-34, 36-39, 41-43, 45-48, 50-52 and 54 are rejected under 35 U.S.C. 102(e) over *Li* (US 6,385,174) ("*Li*"), and claims 27, 31, 35, 40, 44, 49 and 53 are rejected under 35 U.S.C. 103(a) over *Li* in view of *Dervarics* (US 6,553,240) ("*Dervarics*").

Claims 21-22 and 46-47 are amended to obviate the objections to those claims. Applicants request the Examiner reconsider and withdraw the objections.

With respect to the § 112 rejections, Applicants and the undersigned thank Examiner Nguyen for his time during the February 10, 2005 telephonic interview during which the § 112 rejections were discussed. At the conclusion of the interview, examiner Nguyen indicated that he would withdraw the § 112 rejections.

With respect to the cited references, Applicants submit the enclosed Declaration under 37 CFR 1.131 stating that the Applicants conceived of and reduced to practice the subject matter of claims 21-54 in the United States at least before November 12, 1999, the earliest priority date to which *Li* claims the benefit. Applicants also enclose source code excerpts as Exhibit A illustrating the reduction to practice of the subject matter of at least claim 46. The source code was saved into an archiving system at least before November 12, 1999. The remaining independent claims 21, 29, and 37 include subject matter similar to that of claim 46. Thus, *Li* is not available as a prior art reference under § 102 (e) against the claims. Applicants request the Examiner reconsider and withdraw the § 102 and § 103 rejections of the pending claims.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. BBNT-P01-287 from which the undersigned is authorized to draw.

Dated: February 18, 2005

Respectfully submitted,

By 

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